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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/896,415	06/28/2001	Ravi Chandar	10007554-1	2272	
7590 05/06/2005			EXAM	EXAMINER	
HEWLETT-PACKARD COMPANY			SMITH, 1	SMITH, TRACI L	
Intellectual Property Administration P.O. Box 272400			ART UNIT	PAPER NUMBER	
Fort Collins, CO 80527-2400			3629		
			DATE MAILED: 05/06/200	5	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)	
		09/896,415	CHANDAR, RAVI	
Office Action Summary		Examiner	Art Unit	
		Traci L Smith	3629	
Period fo	The MAILING DATE of this communicatio			
	ORTENED STATUTORY PERIOD FOR R	EDI VIQ SET TO EVDIDE 2 M	ONTH(S) EDOM	
THE in External Factor - If the in If NC - Failure - Any in External Factor - Fa	MAILING DATE OF THIS COMMUNICATION MAILING DATE OF THIS COMMUNICATION SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days period for reply is specified above, the maximum statutory pre to reply within the set or extended period for reply will, by reply received by the Office later than three months after the ed patent term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no event, however, may a son. a reply within the statutory minimum of thir beriod will apply and will expire SIX (6) MON statute, cause the application to become Al	reply be timely filed by (30) days will be considered timely. ITHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).	
Status				
1)⊠	Responsive to communication(s) filed on	<u>03/07/2005</u> .		
	_	This action is non-final.		
3)	Since this application is in condition for al	lowance except for formal mat	ers, prosecution as to the merits is	
	closed in accordance with the practice un	der <i>Ex parte Quayle</i> , 1935 C.D). 11, 453 O.G. 213.	
Dispositi	on of Claims			
4)⊠	Claim(s) 1-20 is/are pending in the application	ation.		
	4a) Of the above claim(s) is/are wit			
	Claim(s) is/are allowed.			
6)⊠	Claim(s) 1-20 is/are rejected.			
7)	Claim(s) is/are objected to.			
8)	Claim(s) are subject to restriction a	and/or election requirement.		
Applicati	on Papers			
9)	The specification is objected to by the Exa	miner.		
	The drawing(s) filed on is/are: a)		by the Examiner.	
	Applicant may not request that any objection to			
	Replacement drawing sheet(s) including the co	orrection is required if the drawing	(s) is objected to. See 37 CFR 1.121(d)	
11)	The oath or declaration is objected to by the	ne Examiner. Note the attached	d Office Action or form PTO-152.	
Priority u	ınder 35 U.S.C. § 119			
	Acknowledgment is made of a claim for fo	reign priority under 35 U.S.C. §	3 119(a)-(d) or (f).	
12)		· · · · · · · · · · · · · · · · · · ·		
	☐ All b)☐ Some * c)☐ None of:			
	☐ All b)☐ Some * c)☐ None of: 1.☐ Certified copies of the priority docu	ments have been received.		
			pplication No	
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Art Unit: 3629

DETAILED ACTION

Page 2

- 1. This action is in response to papers filed March 7, 2005.
- 2. Claims 1-6 and 8-10 have been amended.
- 3. Claims 1-20 are pending.
- 4. Claims 1-20 have been rejected.

Response to Amendment

5. The declaration filed on March 7, 2005 under 37 CFR 1.131 is sufficient to overcome the reference www.accuhire.com; retrieved wayback machine anylinkage; Oct. 17, 2001.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- 7. Claims 1-6 and 8-18 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 6,618, 734 B1 Williams et al. Pre-Employment Screening and Assessment Interview Process. Hereinafter referred to as Williams.

Art Unit: 3629

8.

As to claims 1, 8 and 12 Williams teaches a system and method of receiving information about and applicant and determining what test is required(C. 7 I. 8-11 & 52-

Page 3

- 55) as well as providing test to applicant; allowing applicant to conitue (C. 8 I. 7-10).
- 9. As to claims 2, 9 and 13 Williams teaches supplying job information to applicant(C. 7 l. 39-41).
- 10. As to claims 3, 5 and 10 Williams a supervisor determining and approving questions to be used when applicant submits certain information(C. 3 I 50-62).
- 11. As to claims 4 and 11 teaches the applicant submitting answers to questions in various formats. Although Williams doesn't explicitly teach using a multiple choice question it is implied by having varying question formats with several possible answers.
- 12. As to claims 6 and 17-18 Williams teaches not allowing the applicant to proceed with process.(C. 7 l. 63-68).
- As to claim 14 Williams teaches an evaluation system using to determine best 13. match of candidates.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Art Unit: 3629

15. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- 1. Determining the scope and contents of the prior art.
- 2. Ascertaining the differences between the prior art and the claims at issue.
- 3. Resolving the level of ordinary skill in the pertinent art.
- 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 16. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
- 17. Claims 7, 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,618, 734 B1 Williams et al. Pre-Employment Screening and Assessment Interview Process.
- 18. As to claims 7, 19-20 Williams teaches a pre-screen method and system of job applicants. However, Williams fails to teach submitting resume' electronically. It would have been obvious to one skilled in the art at the time of invention to combine this aspect with the teaching Williams so as to have the resume' available to the supervisor or administrator who will be performing the next step in the application process.

Page 4

Art Unit: 3629

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Page 5

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L Smith whose telephone number is 572-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CONTROL 3300

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